HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Appeal (C) No.370 of 2007

Single Bench: Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Appellants Claimants	:	1.	Johit Ram, S/o Ratan, Aged about 40 years.
	:	2.	Sato Bai, W/o Johit Ram, aged about 30 yrs.
			Both residents of Harinabhatta, P.S. Simga, P.O. Simga, Distt. Raipur (C.G.)
			Versus
Respondents: Claimants	:	1.	Bhuneshwar @ Jageshwar, S/o Raja Ram Yadav, R/o Duldula Ward, Newara Road, Simga, P.O. Simga, Distt. Raipur (C.G.)
	:	2.	Shivratan Prasad Gupta, S/o B.P.Gupta, R/o Sundar Nagar Ward, Raipur, P.O. Sundar Nagar, Raipur, Distt. Raipur (C.G.)
	:	3.	The Oriental Insurance Co. Ltd. Through Divisional Manager, Board No.1, The Oriental Insurance Co. Ltd. Jail Road, Raipur Dist. Raipur (C.G.)

Miscellaneous Appeal under Section 173 of the Motor Vehicles Act, 1988

Present:-
Shri Satish Chandra Verma, counsel for the appellants.
Shri Sudhir Agrawal, counsel for respondent No.3/insurance company.

ORAL ORDER
(Passed on 12.10.2007)

Heard on I.A.No.1/2007 for condonation of delay in filing the appeal.

2. For the reasons mentioned in the application, it is allowed and the delay is condoned

3. Being aggrieved by the award dated 04.08.2007 passed in Claims Case No.04 of 2006 by the Chief Motor Accidents Claims Tribunal, Raipur

(henceforth, 'the M.A.C.T.) whereby a sum of 1,60,000/- has been awarded towards compensation, the appellants/claimants have preferred this appeal for enhancement.

4. During the course of arguments, a settlement was arrived at amicably between the appellants and insurance-company whereunder the learned counsel for the respondent/insurer agreed to pay an additional sum of Rs.20,000/- to the claimants, over and above the amount awarded by the M.A.C.T., within 30 days from today. Ordered accordingly.

5. In view of the above, the appeal stands disposed of. A copy of this order be sent forthwith to the M.A.C.T. The M.A.C.T. shall on deposit of additional compensation ensure:

A. that the claimants/appellants are noticed about the award and to appear before the M.A.C.T., in person along with their pass book of an account in a nationalized bank,

B. that the pass books of the claimants are accompanied by the photograph and are duly verified by the bank and the same is also verified by the M.A.C.T. before issuance of cheque

C. that a direction is issued to the concerned bank not to release the amount in favour of any person, other than the claimants unless ordered by the M.A.C.T.

Sd/-
Dilip Raosaheb Deshmukh
Judge